



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

October 19, 2015
1510-SPP-21 & 1510-ODP-21
Exhibit 1

Petition Number: 1510-SPP-21 & 1510-ODP-21
Subject Site Address: 203rd Street and Tomlinson Road.
Petitioner: Chatham Hills LLP by American Structurepoint, Inc.
Representative: Andy Taylor, American Structurepoint Inc.
Request: Petitioner requests Overall Development Plan and Primary Plat review of 192 single-family residential lots and golf course.
Current Zoning: Chatham Hills PUD (Ordinance 13-24)
Amendment to Andover North PUD (Ordinance 15-28, pending)
Underlying Zoning is SF-4
Current Land Use: Agricultural/Undeveloped
Approximate Acreage: 94.49 acres +/-
Property History: 1311-PUD-11, Rezoning to the Chatham Hills PUD (Ordinance 13-24)
1510-PUD-19, Amendment to Chatham Hills PUD (Ordinance 15-28, pending)
Exhibits:
1. Staff Report
2. Location Map
3. Primary Plat
4. Overall Development Plan
5. Landscape Plan
6. Waiver Response (Public Works)
7. Waiver and Conditions
Staff Reviewer: Pam Howard

HISTORY AND PROCEDURAL

Requests for Overall Development Plan Review and Primary Plat review are required to be considered at a public hearing. The public hearing for this petition is scheduled for the October 5, 2015 Advisory Plan Commission (the "APC") meeting. Public notice was given in compliance with all APC Rules of Procedure.

BACKGROUND

The applicable zoning district is the Chatham Hills PUD District Ordinance No. 13-24 (the "PUD Ordinance"). The petitioner has simultaneously filed an amendment to the PUD as Ordinance 15-28 (1510-PUD-19).

The petitioner is requesting a waiver to reduce the right-of-way dedication for a single parcel along 206th Street from 50' to 30'. The Westfield Public Works Department supports this request (**Exhibit 6**).



CHATHAM HILLS PUD

The plans comply except for those items identified as outstanding below:

Permitted Uses within District I (Section 7)

1. Single-Family Residential
2. Golf Course and Club Uses

Bulk and Density Standards (Section 9)

1. District Subarea 1- C (Lots E80-E87)

- a. Minimum Lot Width – 110’
- b. Minimum Lot Frontage – 30’
- c. Minimum Lot Area – 12,500 SF
- d. Maximum Number of Dwelling Units in Subarea – 1,500

Comment: 8 lots proposed in sec 2 + 0 in sec 1 = 8, COMPLIANT

2. District Subarea 1-D (Lot I1, I3, I11, I13, I15, I17, I19, I21, I23, I25, I27, I29, I30-I32, E63-E79, F36, F38, F40, F42, F44, F46, F50, F52, F54, F56, F58, F60, F62, F64, F66, F68, F70, F72, F74)

- a. Minimum Lot Width – 105’
- b. Minimum Lot Frontage – 30’
- c. Minimum Lot Area – 12,500 SF
- d. Maximum Number of Dwelling Units in Subarea – 1,500

Comment: 53 lots proposed in sec 2 + 23 in sec 1 = 76, COMPLIANT

3. District Subarea 1-E (Lot I2, I4-I10, I12, I14, I16, I18, I20, I22, I24, I26, I28, I33-I35, F31-F35, F37, F39, F41, F43, F45, F47-F49, F51, F53, F55, F57, F59, F61, F63, F65, F67, F69, F71, F73, F75, F76)

- a. Minimum Lot Width – 90’
- b. Minimum Lot Frontage – 30’
- c. Minimum Lot Area – 10,000 SF
- d. Maximum Number of Dwelling Units in Subarea – 1,500

Comment: 45 lots proposed in sec 2 + 53 in sec 1 = 98, COMPLIANT

4. District Subarea 1-F (Lots H1-H12, G5, G7, G9, G11, G15, G16)

- a. Minimum Lot Width – 80’
- b. Minimum Lot Frontage – 25’
- c. Minimum Lot Area – 10,000 SF
- d. Maximum Number of Dwelling Units in Subarea – 975

Comment: 18 lots proposed in sec 2 + 25 in sec 1 = 43, COMPLIANT



5. District Subarea 1-G (Lots G1-G4, G6, G8, G10, G12-G14)

- a. Minimum Lot Width – 70'
- b. Minimum Lot Frontage – 20'
- c. Minimum Lot Area – 7,750 SF
- d. Maximum Number of Dwelling Units in Subarea – 600

Comment: 10 lots proposed in sec 2 + 55 in sec 1= 65, COMPLIANT

6. Maximum Density (number of dwellings) in District I – 1,500

Comment: 134 lots proposed in sec 2 + 192 in sec 1= 326, COMPLIANT

Landscaping and Screening (Section 11)

7. Preservation of Trees: The Developer shall only be required to provide a tree inventory for those trees of which tree preservation credits are being requested by the Developer; provided, however, that tree stands shall be generally outlined on any Development Plan.

Comment: Petitioner will provide tree inventory when completed.

8. Installation of Landscaping: The installation of landscaping required by this Ordinance may be delayed, at the Director's determination, due to: (i) periods of adverse weather; (ii) availability of plant material; (iii) conflicts between construction scheduling (e.g., Golf Course construction, completion of Development Amenities or infrastructure) and proper planting conditions; and/or (iv) if required landscaping is dependent on tree preservation credits to be further determined (e.g., from the Golf Course).

9. Road Frontage Standards: The road frontage landscaping requirements of the Zoning Ordinance (Article 6.8 (M)) shall apply; however, it shall not apply along Golf Course areas adjoining or located along Internal or External Streets.

Comment: See External Street Landscaping Standards under the UDO section below.

10. Buffer Yards: The buffer yard requirements of the Unified Development Ordinance (Article 6.8) shall apply, except as provided below:

- a. Buffer yards shall not be required along Golf Course areas adjoining or located along Internal or External Streets.
- b. Buffer yards shall not be required between District Areas and shall not be required adjacent to Development Amenities, except as otherwise required herein.
- c. A minimum twenty (20) foot wide buffer yard shall be required between residential use(s) and any adjoining General Business (GB) District use. The buffer yard shall be landscaped in accordance with the Zoning Ordinance.
- d. A minimum twenty (20) foot wide buffer yard shall be required between residential properties of the District and any adjacent property zoned the Agricultural/Single Family (AG-SF1) District. The buffer yard shall be landscaped in accordance with the Zoning Ordinance.

- e. A Masonry wall or a combination of masonry and wood or iron fencing (which is entirely opaque and consistent with the design theme of other fencing or entrances in the District) may be substituted and replace any required buffer yard between uses or External Streets if said wall is: (i) a minimum height of six (6) feet; (ii) located within a minimum ten (10) foot wide easement, and (iii) supplemented with landscaping consistent with the Zoning Ordinance's requirement for the softening of walls and fences (UDO Article 6.8, L).

Open Space and Amenity Standards (Section 12)

- 11. Natural Areas: The preservation of the natural landscape, terrain, topography and natural features of the Real Estate shall be preserved when possible and shall be a priority when constructing all residential, infrastructure, amenities and other aspects of the development.
- 12. Minimum Open Space: The District shall provide a minimum of twenty percent (20%) of the Real Estate to be set aside for Open Space, which shall replace and superseded any open space or green belt space requirement of the Zoning Ordinance. All Open Space in the District shall be owned by the Master Developer, unless otherwise approved and transferred by the Master Developer to an Owners' Association.

Comment: 27.45 acres (29%) proposed in this section, excluding lakes = COMPLIANT

Lighting Standards (Section 14)

The District's lighting shall comply with the Unified Development Ordinance (Article 6.9) with the following exceptions:

- 13. Architectural lighting may be directed upward on Golf Course Use buildings for the softening of walls and entryways and shall be directed in a manner as to direct light away from residential adjacent property and public rights-of-way and shall otherwise comply with the lighting standards of the Zoning Ordinance.
- 14. Architectural lighting may be located below and directed upward or onto the surface(s) of the Red Barn or Lindley House and shall not be required to be shielded but shall be permitted for the softening of the buildings and to highlight architectural details and shall otherwise comply with the lighting standards of the Zoning Ordinance.
- 15. Dusk to Dawn Lights for Single-family Residential Uses: A light shall be installed on each home lot at a location, height, type, style and manufacturer approved by the Owners' Association Architectural Review Committee. The light may be either pole mounted in the front yard or attached as a carriage light to the residence. The light shall be equipped with a photo electrical cell or similar device to ensure automatic illumination from dusk to dawn and shall be maintained in proper working order by the owner of each lot. Illumination intensity for fixtures without shielding shall be limited to one hundred sixty (160) watts for incandescent bulbs or an equivalent illumination for other

types of bulbs.

Comment: This will be reviewed for compliance during the building permitting/inspection stage.

16. Decorative street lights may differ from the City's standards if approved by the Department of Public Works. Decorative street lights shall be consistent with the development theme and shall be installed at the expense of the Developer and maintained by the Owners' Association.
17. Real or faux gas lights may be used without shielding.
18. Lighting (e.g., pole lighting) of the Golf Course for playing a round of golf at night shall be prohibited (does not include lighting for pathways, security or practice areas).

Pedestrian and Bicycle Connectivity (Section 15)

19. Pedestrian and bicycle access shall be provided throughout the District to permit and encourage pedestrian movement within the District and surrounding developments to:
(i) provide an alternative for people to get where they are going without using their vehicles; (ii) provide a means for people to safely and practically get to local destinations; and (iii) provide for fitness and general recreational opportunities.
20. The District's pedestrian and bicycle network shall comply with the Zoning Ordinance and the City's construction standards, unless otherwise approved by the Department of Public Works. To the maximum extent practicable, land uses, amenities, parks, trails and other open spaces should be organized to create integrated systems of open space that connect both internal to the District and to development surrounding the District.
21. Golf carts shall be permitted on streets, Trails and amenities within the District. The operation of golf carts on public rights-of-way shall be subject to the City's Code of Ordinances (see Chapter 58-1), as amended, and any requirements of the Department of Public Works and Department of Parks and Recreation.

Infrastructure Standards (Section 20)

22. The District's infrastructure shall comply with the Zoning Ordinance and the City's Construction Standards, unless otherwise approved by the Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.
23. The District shall comply with the Thoroughfare Plan. For portions of the Real Estate that adjoin or include existing streets or alternative transportation corridors (e.g., Monon Trail) that do not conform to the minimum right-of-way dimensions established in the Thoroughfare Plan, the Developer shall dedicate additional width along either one or both sides of such streets and/or alternative transportation corridors sufficient to meet the requirements of the Thoroughfare Plan and the



Monon & Midland Trace Trail Master Plan.

- a. In addition to the fifty (50) foot half right-of-way required to be dedicated along 199th Street, pursuant to the Thoroughfare Plan, the Developer shall dedicate an additional twenty (20) feet of right-of-way (for a total right-of-way dedication of seventy (70) feet north from the centerline of 199th Street) for portions of the Real Estate that are located between the centerline of Tomlinson Road and a point approximately one thousand one hundred and seventy feet (1,170') west along 199th Street.

WESTFIELD UNIFIED DEVELOPMENT ORDINANCE

The following underlying zoning standards of the UDO, as amended, apply to the Chatham Hills PUD District. The plans comply except for those items identified as outstanding below:

Zoning Districts (Chapter 4)

SF-4 District (Article 4.7)

Comment: All current SF-4 standards have been modified by the Chatham Hills PUD Ordinance.

Overlay Districts (Chapter 5)

Floodplain Overlay District (Article 5.5)

Comment: No lots are located in the floodway, though floodway areas are located to the east of lots H12 and G11.

Wellhead Protection District Overlay (Article 5.7)

Comment: This project does not fall within a Wellhead Protection Zone.

Development Standards (Chapter 6)

Accessory Use and Building Standards (Article 6.1)

Comment: The Accessory Use and Building Standards will be reviewed for each residential and non-residential accessory building in the future.

Architectural Standards (Article 6.3)

Comment: The Architectural Standards will be reviewed at the building permit stage for each residential building and during a subsequent Detailed Development Plan Review process for each non-residential building.

Building Standards (Article 6.4)

Comment: The Building Standards will be reviewed at the building permit stage for each residential building and during a subsequent Detailed Development Plan Review process for each non-residential building.



Height Standards (Article 6.6)

Comment: The Height Standards will be reviewed at the building permit stage for each residential building and during a subsequent Detailed Development Plan Review process for each non-residential building.

Landscaping Standards (Article 6.8)

24. Placement: Installed plantings shall comply with the following:

- a. Clearance with Structures: Trees shall be planted so that when they reach maturity, there will be a minimum of five (5) feet of clearance between tree trunks and structures, building overhangs, walls, fences, and other trees.
- b. Vision Clearance: Plantings and mounds shall also comply with Article 6.19 Vision Clearance Standards.
- c. Right-of-way: With the exception of Street Trees, as required herein, or trees as may otherwise be approved by the Plan Commission or Public Works Department, landscape material shall not be planted or placed in Rights-of-way or easements without permission from the City or the easement holder.
- d. Minimum Distance from Sidewalk and Curb: Trees shall be planted a minimum distance of four (4) feet from the edge of a Street curb or pedestrian pathway or sidewalk.
- e. Minimum Distance from Stormwater Structures: Trees shall be planted a minimum distance of ten (10) feet from any storm sewer or subsurface drain, unless otherwise permitted in accordance with the City's Construction Standards or approved in writing by the Public Works Department.
- f. Easements: Required landscaping should be located in landscape easements or designated common areas that are exclusive of utility or drainage easements that would otherwise prohibit the required landscaping.
- g. Arrangement: A natural or irregular row and spacing of plantings is preferred. Trees and shrubs should be grouped or clustered where possible to simulate natural tree stands.

25. Detention and Retention Areas:

- a. Natural Appearance:
 - i. Detention and Retention Areas shall be landscaped in a manner that replicates the natural form of ponds and shall include shade trees, ornamental trees, evergreens, shrubs, hedges, and/or other plantings

(see also Minimum Lot Landscaping Requirements and Article 8.6 Open Space and Amenity Standards).

Comment: Not applicable to areas included in the golf course.

- ii. Wetlands/aquatic vegetation planted around the wet perimeter of such areas should be utilized to further this design objective; however, if such plantings are utilized for water quality control, then landscape plans shall be prepared and stamped by a licensed landscape architect.
 - iii. Detention and Retention Areas shall be designed to be natural in appearance, with meandering edges.
 - iv. Location: Detention and Retention Areas should be located to enhance view sheds and incorporated as amenities to the development (see also Article 8.6 Open Space and Amenity Standards).
 - v. Side Slopes: Side slopes above the water line for Retention Areas and water features shall not exceed 4:1. Side slopes above the water line for Detention Areas shall not exceed 4:1 and shall be graded to harmonize with the overall Open Space design of the site.
- b. Street Trees: Street Trees shall be required in accordance with the following, and the placement standards set forth herein:
- i. Requirement: Street Trees shall be required with all new or re-developed Local Streets (public or private) within Residential Districts. Street Trees shall only be required on one side of a Residential Frontage Road.
 - ii. Location: Street Trees located within the Right-of-way shall be installed in accordance with the City's Construction Standards (see also Article 7.3 Principles and Standards of Design). If the Street Tree is not planted within the Right-of-way, then the Street Trees shall be planted on the adjacent Lot or Common Area within ten (10) feet of the Right-of-way; however, the Street Tree shall not be credited towards that Lot or Common Area's Minimum Lot Landscaping Requirements.
 - iii. Spacing: Street Trees shall be required an average of every fifty (50) feet; however, the Street Trees may be spaced at a maximum spacing of sixty (60) feet but at a minimum spacing of twenty (20) feet.
- c. Minimum Lot Landscaping Requirements
- i. Single-Family Residential (per Lot under 8,000 SF)
 - 1. Shade Trees – 2

- 2. Ornamental or Evergreen Trees – 1
 - 3. Shrubs – 4
- ii. Single-Family Residential (per Lot over 8,000 SF)
 - 1. Shade Trees – 4
 - 2. Ornamental or Evergreen Trees – 2
- iii. Open Space/Common Area (per acre)
 - 1. Shade Trees, Ornamental, or Evergreen Trees – 10
 - 2. Shrubs – 0
- d. Foundation Plantings

Comment: Foundation Planting requirements will be reviewed at the building permit stage for each residential building and during a subsequent Detailed Development Plan Review process for each non-residential building.
- e. External Street Frontage Landscaping Requirements: The landscaping in this section shall be required where any portion of a development abuts an External Street.
 - i. Residential Uses: A landscaping area with a minimum depth of thirty (30) feet shall be required abutting an External Street along any residential development. The landscaping area shall include a minimum of four (4) evergreen trees, three (3) shade trees, three (3) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. In addition, a minimum three-foot (3') tall undulating mound shall be required along the entire External Street frontage. Meandering mounds are encouraged.
 - ii. Non-residential Uses: A landscaping area with a minimum depth of ten (10) feet shall be required abutting an External Street along any non-residential development. The landscaping area shall include a minimum of three (3) shade or evergreen trees, two (2) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. This requirement may be credited toward required Parking Area Landscaping requirements if the required Parking Area Landscaping is located within twenty (20) feet of the Right-of-way. In addition for Industrial Districts, a minimum three-foot (3') tall undulating mound shall be required along the entire External Street frontage.
 - iii. Easements: Trees required to be planted along External Streets should be located outside drainage and utility easements that would otherwise

prohibit the required landscaping and shall be located in a manner that mitigates interference with infrastructure located within such easements. Trees may be clustered or grouped in order to attain creative site design and/or to accommodate utility infrastructure.

f. Buffer Yard Requirements

Comment: Buffer Yard Requirements are superseded by the Chatham Hills PUD Ordinance, see Chatham Hills PUD, Section 11 above.

g. Parking Area Landscaping

Comment: The Parking Area Landscaping standards will be reviewed during a subsequent Detailed Development Plan Review for non-residential buildings/uses.

Lighting Standards (Article 6.9)

26. All Light Fixtures, with the exception of internally-illuminated signs or Electronic Signage, shall be Fully Shielded and direct light downward toward the earth's surface.
27. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent Lots and Rights-of-way.
28. All lighting sources, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a manner as to direct light away from adjacent Lots and Rights-of-way.
29. Light pole height shall not exceed twenty-five (25) feet. All Light Fixtures in Parking Areas shall be designed and located to confine emitted light to the Parking Area.
30. All Light Fixtures shall meet City Building Code requirements for their appropriate construction class.

Lot Standards (Article 6.10)

31. All Lots shall abut on a Street or Private Street and shall have a minimum Lot Frontage as set forth by the Zoning District or Overlay District.
32. Residential Corner Lots shall be of sufficient width to permit appropriate Building Setback Lines and driveway setbacks from both Streets.

Outdoor Storage and Display (Article 6.21)

33. Residential Districts (regarding Recreational Vehicles)
Comment: Outdoor Storage and Display standards will be monitored by Code Enforcement for compliance.
34. Business Districts



Outdoor Café and Eating Areas (Article 6.13)

Parking Standards (Article 6.14)

35. Single-Family Dwellings – Two (2) spaces per Dwelling Unit

Comment: The Single-Family Dwelling Parking Standards will be reviewed at the building permit stage for each residential building.

36. Golf Course – Parking Space requirements for the Golf Course uses shall be determined by the Director based upon data supplied by the Applicant in response to traffic and parking data requested to be furnished with the application for an Improvement Location Permit.

Comment: The Golf Course Parking Standards will be reviewed during a subsequent Detailed Development Plan Review for the associated clubhouse.

Setback Standards (Article 6.16)

Comment: The Setback Standards will be reviewed at the building permit stage for each residential building and during a subsequent Detailed Development Plan Review process for each non-residential building.

Sign Standards (Article 6.17)

Comment: The Sign Standards will be reviewed during a subsequent Sign Permit Application review. Any signs and/or sign locations depicted on an Overall Development Plan or Primary Plat shall not be deemed “Approved” by approval of the Overall Development Plan or Primary Plat.

Vision Clearance Standards (Article 6.19)

37. **Vision Clearance:** No Sign, fence, wall, landscaping, Public Utility Installation or other Improvement which obstructs sight lines between three (3) and nine (9) feet above a Street shall be permitted on a Corner Lot, unless otherwise approved in writing by the Public Works Department, within the triangular area formed by the Right-of-way line and a line connecting points: Forty (40) feet from intersections of Collectors, Private or Local Street; Seventy-five (75) feet from intersections of Expressways or Arterials; Ten (10) feet from intersections of Driveways or Alleys.

Yard Standards (Article 6.21)

Comment: The Yard Standards will be reviewed at the building permit stage for each residential building and during a subsequent Detailed Development Plan Review process for each non-residential building.

Subdivision Regulations (Chapter 7)

Construction Standards (Article 7.3)

Comment: The Construction Standards are reviewed by the Public Works Department. They Public Works Department may identify outstanding items that will need to be addressed prior to Overall Development Plan and Primary Plat approval.

Design Standards (Chapter 8)

Block Standards (Article 8.1)

38. The maximum length of a block in a single-family residential Subdivision shall not exceed one thousand two hundred and fifty (1,250) feet; except where an Internal Street or Frontage Road parallels an Expressway or Arterial.

Easement Standards (Article 8.3)

39. **Drainage and Utility Easements:** All development submitted for approval under the provisions of this Ordinance shall allocate areas of suitable size and location, wherever necessary, for drainage and/or utility easements. All easements and corresponding utility location plans shall be complete and approved prior to the final approval of any plan. One-half (0.5) of the width of easements located along Lot Lines shall be taken from each Lot, unless otherwise approved by the Public Works Department or the appropriate utility provider. Before determining the location of easements the plan shall be discussed with the local public utility companies to assure proper placement and installation of such services.
40. **Surface Drainage:** If any stream or necessary surface drainage course is located in the area to be developed, then an easement shall be established along all sides according to the County Surveyor or Indiana law if a legal drain or twenty (20) feet per side (measured from top of bank) if not a legal drain. The easement shall be allocated for the purpose of widening, deepening, sloping, improving or protecting said stream or surface drainage course.
41. **Other Easements:** Where an easement is required by this Ordinance but the standards for the easement type are not specified, or an easement is required per a commitment or condition of approval, then the Property Owner ("grantor") shall execute the easement instrument in favor of the appropriate party or entity ("grantee").
42. **Private Street Easement:** When required by this Ordinance, the Property Owner ("grantor") shall execute a Private Street easement instrument in favor of the owner of the Lot ("grantee") to which the private street provides access.

Comment: Private Street Easement language should be included in the secondary plat.

Monument and Marker Standards (Article 8.5)

Comment: The Monument and Marker Standards will be reviewed at the subsequent Secondary Plat Review process for each section.

Open Space and Amenity Standards (Article 8.6)

43. **Plantings:** Open Space shall be supplemented with tree plantings in accordance with the Minimum Lot Landscaping requirements of Article 6.8 Landscaping Standards.

Comment: See Open Space landscaping requirements above.

44. **Access:** A public way, crosswalk or easement not less than fifteen (15) feet in width shall be provided for access to required Open Space.

45. **Connectivity:** Open Space, where applicable, shall be placed adjacent to or connected to existing or proposed Open Space located within the development and/or on adjoining properties. Open Space should be located within reasonable walking distance to those uses it serves, with the exception of preservation of existing features.

46. **Open Space Ownership:** The ownership of Open Space, Common Areas, Development Amenities, how it will be protected from future development, and responsibility for future maintenance (e.g., homeowners' association) shall be documented and recorded.

47. Required Open Space and Development Amenity improvements (e.g., fencing, walls, mounds, paths, playgrounds, amenities) shall be improved in accordance with an approved Development Plan and shall require a Certificate of Compliance

Comment: Pathway amenities are COMPLIANT. Other amenities will be reviewed during a subsequent Detailed Development Plan Review(s).

48. **Approval:** Open Space and Development Amenity areas shall be identified on the development's Overall Development Plan, in accordance with Article 10.7 Development Plan Review. Open Space and Development Amenity improvements shall require approval a Detailed Development Plan, which shall be reviewed and approved by the Department as part of an Improvement Location Permit (see also Article 10.8 Improvement Location Permit) or a Certificate of Compliance (see also Article 10.4 Certificate of Compliance), if an Improvement Location Permit is not otherwise required for the proposed improvements.

Comment: Not applicable to this submittal. Other amenities which require an ILP will be reviewed during a subsequent Detailed Development Plan Review(s).

49. **Timing of Installation:** Open Space and Development Amenity improvements shall be installed prior to the issuance of a subsequent Building Permit for more than fifty percent (50%) of the Lots within the Secondary Plat section in which the Common Area, Open Space or Development Amenity is located, or within twelve (12) months from when the first Building Permit in the Secondary Plat section was issued, whichever occurs first.

50. A maximum of fifty percent (50%) of required Open Space may come from: wetlands, third party regulated utility easements, legal drains and equivalent land, as determined by the Plan Commission or Director.

51. Detention and Retention Areas may only qualify as Open Space if they comply with Article 6.8 Landscaping Standards and if such areas are located and designed for the use and benefit of the public as an amenity to the development.

Comment: Superseded by PUD.

52. Required Buffer Yards, External Street Frontage landscaping areas, and tree preservation areas, as set forth in Article 6.8 Landscaping Standards, may qualify towards required Open Space if placed within common areas or recorded preservation or conservation easements.

Pedestrian Network Standards (Article 8.7)

53. All concrete sidewalk, asphalt path, and crosswalk improvements shall be constructed per the City's Construction Standards (see Article 7.3 Principles and Standards of Design) and comply with requirements of the Americans with Disabilities Act (ADA), as amended.
54. Curb ramps for handicapped accessibility shall be provided at all intersections of Streets, Alleys, and drives (not including individual residential Driveways) and comply with ADA requirements. Curb ramps shall not be permitted in Driveways.
55. When a sidewalk, pedestrian path, jogging path, and/or bicycle way crosses a Street intersection with an Arterial within or adjacent to a development, then safety devices (i.e. painted crosswalks, signs, or other traffic control devices) shall be installed at the Developer's expense as deemed appropriate by the Public Works Department. The Director or Plan Commission may require crosswalks to be marked at other intersections or pedestrian-crossing points as may be deemed appropriate. All traffic control devices shall comply with guidelines and requirements of the current edition of the Indiana Manual on Uniform Traffic Control Devices.
56. Internal Pedestrian Network Standards: The minimum sidewalk width shall be as indicated in the Thoroughfare Plan or five (5) feet (six (6) feet if immediately abutting the curb), whichever is greater.
57. Sidewalks shall be required on both sides of internal Streets and internal Private Streets in all developments.
58. When a proposed development lies between or adjacent to existing developments which have been provided with sidewalks, connecting sidewalks or pathways (which are extensions of the existing sidewalks) shall be constructed.
59. Connector sidewalks shall be provided from the sidewalk or path adjacent to the Street to the front entrance of all non-residential structures. Where the sidewalk intersects driving lanes or parking aisles within the Parking Area, then crosswalks and ramps shall be installed in accordance with ADA requirements and such areas shall be delineated (e.g., pavers, stamped, bricked), as determined by the Plan Commission or Director, to reinforce pedestrian safety.

60. **Perimeter/External Pedestrian Network Standards:** All developments shall participate in the establishment or improvement to the pedestrian network along Streets adjacent to its perimeter in accordance with the following: Where a proposed Development Plan or Subdivision abuts an existing Right-of-way, then pedestrian paths, jogging paths, and bicycle paths shall be provided along the perimeter Street(s) or Private Street(s) in accordance with the Thoroughfare Plan. The type of pedestrian facility required shall be as set forth in the Thoroughfare Plan.

61. Generally, all required pedestrian facility improvements shall be located within the Right-of-way. Required improvements located outside of the Right-of-way shall be located within an easement approved by the Director or Public Works Department.

62. The Plan Commission or Director may require Developers, at their expense, to construct off-site pedestrian facilities adjacent to the proposed development to respond to the proposed development's impact and infrastructure demands (see also Article 8.9 Street and Right-of-Way Standards as it may apply).

Storm Water Standards (Article 8.8)

63. All proposed development shall provide for the collection and management of all storm and surface water drainage in accordance with the City's Construction Standards (see Article 7.3 Principles and Standards of Design).

Comment: The Storm Water Standards are reviewed by the Public Works Department. The Public Works Department may identify outstanding items that will need to be addressed prior to Overall Development Plan and Primary Plat approval.

Streets and Right-of-Way Standards (Article 8.9)

Street Light Standards (Article 8.10)

Street Sign Standards (Article 8.11)

Surety Standards (Article 8.12)

Utility Standards (Article 8.13)

Processes and Permits (Chapter 10)

Development Plan Review (Article 10.7)

64. **Overall Development Plan:** The purpose of the Overall Development Plan is to preliminarily divide property into Lots, Blocks or Common Area and to ensure compliance with the standards of this Ordinance with regard to Lots (e.g., size, access, general building envelopes), common areas (e.g., perimeter landscaping, shared signage) and shared infrastructure (e.g., drives, streets, cross-access, utilities, drainage).

An Overall Development Plan does not include the review of the site layout or building design of individual building Lots; rather, it is intended to generally review Lots, common areas, public spaces and shared infrastructure so that adequate consideration is given to ensure a coordinated development prior to subdividing the property.

Primary Plat Review (Article 10.12, I)

65. Primary Plat Documentation and Supporting Information: A Primary Plat application shall include the following information:

- a. Location Map: (which may be prepared by indicating the data by notations on available maps) showing: (i) Subdivision name and location; (ii) Any street related to the subdivision; (iii) Title, scale, north point and date; (iv) Adjacent property land uses and Property Owners' names.
- b. Scale: A Primary Plat shall be drawn to a scale of fifty (50) feet to one (1) inch, or one hundred (100) feet to one (1) inch; provided, however, that if the resulting drawing would be over thirty-six (36) inches in shortest dimension, then a scale as determined by the Director may be used.
- c. Primary Plat: The following basic information shall be shown on the Primary Plat (unless otherwise provided on an accompanying Overall Development Plan (see also Article 10.7 Development Plan Review)), which shall be prepared by a land surveyor or planner:
 - i. Proposed name of the subdivision.
 - ii. Names and addresses of the owner, owners, land surveyor or land planner.
 - iii. Title, scale, north point and date.
 - iv. Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
 - v. Easements (locations, widths and purposes).
 - vi. Statement concerning the location and approximate size or capacity of utilities to be installed.
 - vii. Layout of Lots (showing dimensions, numbers and square footage);
 - viii. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
 - ix. Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
 - x. Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.



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- xii. Building setback lines.
 - xiii. Legend and notes.
 - xiv. Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.
 - xv. Other features or conditions which would affect the subdivision favorable or adversely.
 - xvi. A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
 - xvii. A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.
 - xviii. If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.
 - xix. If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.
 - xi. If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.
- d. Covenants and Restrictions: The Plan Commission or Director may request a description of the proposed or recorded protective covenants or private restrictions if they are to be cross-referenced or incorporated on the plat of the subdivision or if they otherwise establish or grant rights related to the plat (e.g., easements). Covenants and restrictions may not independently lessen any requirement of this Ordinance or revise, alter, or change in any way any aspect of an approved plat without approval of the Director of Plan Commission.

Comment: Working with petitioner to obtain a copy.



STAFF COMMENTS

1. **Compliance:** The Primary Plat and Overall Development Plan comply with the applicable zoning ordinance, except as otherwise noted here in with regard to the petitioner's requested waiver, as further noted below:
 - a. **Reduction of right-of-way dedication from a 50' half right-of-way to a 30' half right-of-way for Block 10 ("The Robinson Parcel")**
2. **Waiver:** The Department recommends approval of the requested subdivision control waivers with the following findings (Article 7.3(C)):
 - a. The proposed development represents an innovative use of site design, site access design, site circulation design, building orientation, building materials, and landscaping which will enhance the use or value of area properties.
 - b. The proposed development will not be injurious to the public health, safety, morals or general welfare of the community.
 - c. The strict application of the Ordinance standards will result in a development of the real estate which is undesirable when compared with the proposed development.
 - d. The proposed development is consistent with and compatible with other development located in the area.
 - e. The proposed development is consistent with the intent and purpose of the Comprehensive Plan.
3. **Primary Plat/Development Plan Approval:** If the Plan Commission has approved the requested subdivision control waivers, then the Department recommends approving the petition with the following conditions:
 - a. All necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to the issuance of an improvement location permit.
 - b. Approval of the landscape plan be delegated to staff upon completion of a tree inventory survey.
4. If the waiver request is not approved, then the plans to not comply with the applicable zoning ordinances. If this occurs, then the Department recommends continuing the petition to the next Plan Commission meeting to allow the petitioner an opportunity to revise their plans to bring them into compliance.
5. If any Plan Commission member has questions prior to the meeting, then please contact Pam Howard at 317-531-3751 or phoward@westfield.in.gov.